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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Shamelle Morris 6544 College Grove)
Dr #68 San Diego, CA 92115,)

Plaintiff,)

vs.)

Homecomings Financial LLC 2711)
North Haskell Ave, Ste 900 Dallas,)
TX 75204,)

Defendant.)

Case No. 08 CV 0203 JM RBB

[Honorable Jeffrey T. Miller]

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF DEFENDANT
HOMECOMINGS FINANCIAL,
LLC'S MOTION TO DISMISS
COMPLAINT OR
ALTERNATIVELY, MOTION FOR A
MORE DEFINITE STATEMENT**

**DATE: July 18, 2008
TIME: 1:30 p.m.
PLACE: Courtroom 16**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, in support of Defendant Homecomings Financial, LLC's ("Homecomings") Motion To Dismiss Complaint Or Alternatively, Motion For A More Definite Statement, which is set to be heard on July 18, 2008, at 1:30 p. m., or as soon thereafter as the matter may be heard before Judge Jeffrey T. Miller, at the United States District Court, Southern District of California, located at 940 Front Street, San Diego, CA 92101-8900, Homecomings hereby requests that the Court take judicial notice of following documents and facts

described below pursuant to Rule 201 of the Federal Rules of Evidence ("F.R.E."):

Request #1.

Shamelle R. Morris' complaint, Case No. 07CV2122 L (NLS) in the United States District Court for the Southern District of California. Attached hereto as Exhibit A is a true and correct copy of the complaint. The Court is requested to take judicial notice of the claims alleged in the complaint and the fact that it has been filed in the United States District Court for the Southern District of California. The fact that the complaint was filed and the claims alleged in the complaint are adjudicative facts of which the Court should take judicial notice. They are facts which are not subject to reasonable dispute because they are capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. F.R.E. 201(b).

Request #2.

Homecomings' motion to dismiss filed on December 11, 2007 and all moving papers filed in connection with the motion to dismiss in Case No. 07CV2122 L (NLS). Attached hereto as Exhibit B is a true and correct copy of the motion to dismiss and all moving papers filed in connection with it.

The Court is requested to take judicial notice of the motion to dismiss and all moving papers filed in connection with it. The fact that the motion to dismiss was filed is an adjudicative fact of which the Court should take judicial notice. It is a fact which is not subject to reasonable dispute because it is capable of accurate and

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1 ready determination by resort to sources whose accuracy cannot reasonably be
2 questioned. F.R.E. 201(b).

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4 DATED: June 5, 2008

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6 By s/ Frederick A. Haist
7 E. SCOTT PALMER
8 FREDERICK A. HAIST
9 PALMER, LOMBARDI & DONOHUE
10 Attorneys for Defendant Homecomings
11 Financial, LLC
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